

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA**

Terral Alexander,	)	
	)	
Plaintiff,	)	Civil Action No. 3:12-2631-RMG
	)	
vs.	)	
	)	
Carolyn D. Colvin, Commissioner of Social Security,	)	
	)	
Defendant.	)	<b>ORDER</b>
	)	
	)	

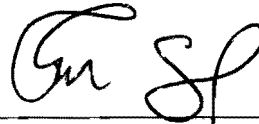
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This matter comes before the Court on Plaintiff's motion for approval of attorney's fees under 42 U.S.C. § 406(b). (Dkt. No. 30). Plaintiff has informed the Court that he was ultimately awarded Social Security disability benefits as a result of this present action that included a lump sum back benefits award of \$93,859.92. (Dkt. No. 30-1 at 4). He now seeks approval of a contingency fee for his attorney of 25% of his back benefits award, which was agreed to by Plaintiff and his counsel in a written contingency fee contract. (Dkt. No. 30-2). This would result in an attorney's fee of \$23,464.98. Counsel for Plaintiff has further informed the Court that this award is subject to offset from a previous award under the Equal Access to Justice Act ("EAJA") of \$7,454.08. (Dkt. No. 29). The Defendant has advised the Court that she does not oppose the approval of Plaintiff's attorney fee under § 406(b). (Dkt. No. 31).

The Court has reviewed the Plaintiff's motion in light of the standards set forth in *Grisbrecht v. Barnhart*, 535 U.S. 789, 808 (2002). The Court finds that pursuant to the *Grisbrecht* standards the proposed fee is reasonable and grants the Plaintiff's motion to approve

the fee in the amount of \$23,464.98. Since Plaintiff is entitled to an offset for previously awarded EAJA fees, Plaintiff's counsel is directed that upon receipt of the fee award approved herein to refund to Plaintiff \$7,454.08.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Gm Sg', is written over a horizontal line.

Richard Mark Gergel  
United States District Judge

December 21, 2014  
Charleston, South Carolina